

REMARKS

This responds to the Office Action mailed on August 7, 2008. Reconsideration is respectfully requested.

Claims 1, 12, 19, 21, 22, 24, 25, 27, 28 and 31 are amended, claims 2, 20, 23, 26 and 29 are canceled, and no claims are added; as a result, claims 1, 3 – 19, 21, 22, 24, 25, 27, 28 and 30 - 33 are now pending in this application.

Request for Form-892

Applicants respectfully request that the Examiner prepare a Form-892, listing two of the documents used in rejections of the claims, Kuroda et al. (U.S. 6,603,961) and Liang (U.S. 2003/0165131 A1), with the next communication in connection with this application.

Allowable Subject Matter

Claims 7, 8 and 30 were indicated to be allowed.

Claims 2, 20, 21, 23, 24, 26, 27 and 29 were objected to as being dependent upon a rejected base claim, but were indicated to be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicant's claim 1 has been amended to include the limitations of claim 2 which was stated to be allowable. According claim 1 is believed to be in condition for allowance. Claim 2 has been cancelled. Claims 3 – 6 and 9 – 11 are believed to be allowable at least because of their dependency on claim 1.

Applicant's claim 12 has been amended to include the limitations of claim 2 which was stated to be allowable. According claim 12 is believed to be in condition for allowance. Claims 13 – 18 are believed to be allowable at least because of their dependency on claim 12.

Applicant's claim 19 has been amended to include the limitations of claim 20 which was stated to be allowable. Claim 20 has been cancelled. According claim 19 is believed to be in condition for allowance. Claim 21 is believed to be allowable at least because of its dependency on claim 19.

Applicant's claim 22 has been amended to include the limitations of claim 23 which was stated to be allowable. According claim 22 is believed to be in condition for allowance. Claim 23 has been cancelled. Claim 24 is believed to be allowable at least because of its dependency on claim 22.

Applicant's claim 25 has been amended to include the limitations of claim 26 which was stated to be allowable. According claim 25 is believed to be in condition for allowance. Claim 26 has been cancelled. Claim 27 is believed to be allowable at least because of its dependency on claim 25.

Applicant's claim 28 has been amended to include the limitations of claim 29 which was stated to be allowable. According claim 28 is believed to be in condition for allowance. Claim 29 has been cancelled.

Applicant's claim 31 has been amended to include the limitations of claim 2 which was stated to be allowable. According claim 31 is believed to be in condition for allowance. Claims 32 - 33 are believed to be allowable at least because of their dependency on claim 31.

§102 Rejection of the Claims

Claims 1, 3, 5, 22, 25 and 28 were rejected under 35 U.S.C. § 102(e) as being anticipated by Crawford (U.S. 2006/0160737 A1). In view of the above discussion, Applicant submits that claims 1, 3, 5, 22, 25 and 28 are in condition for allowance and that the rejection of claims 1, 3, 5, 22, 25 and 28 under 35 U.S.C. § 102(e) has been overcome.

§103 Rejection of the Claims

Claim 4 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Crawford in view of Polley (U.S. 2005/0113041A1). Claim 4 is believed to be allowable at least because of its dependency on claim 1.

Claim 6 was also rejected under 35 U.S.C. § 103(a) as being unpatentable over Crawford and further in view of Kuroda et al. (U.S. 6,603,961). Claim 6 is believed to be allowable at least because of its dependency on claim 1.

Claim 9 was also rejected under 35 U.S.C. § 103(a) as being unpatentable over Crawford and further in view of Liang (U.S. 2003/0165131 A1). Claim 9 is believed to be allowable at least because of its dependency on claim 1.

Claims 10 and 11 were also rejected under 35 U.S.C. § 103(a) as being unpatentable over Crawford in view of Liang and further in view of Walton (U.S. 2003/0043732 A1). Claims 10 and 11 are believed to be allowable at least because of their dependency on claim 1.

Claims 12-14 and 19 were also rejected under 35 U.S.C. § 103(a) as being unpatentable over Crawford in view of Walton. Claim 12 has been amended to include the limitations of claim 2 which was stated to be allowable. According claim 12 is believed to be in condition for allowance. Claims 13 and 14 are believed to be allowable at least because of their dependency on claim 12. Claim 19 has been amended to include the limitations of claim 20 which was stated to be allowable and is therefore believed to be in condition for allowance.

Claim 15 was also rejected under 35 U.S.C. § 103(a) as being unpatentable over Crawford in view of Walton and further in view of Kuroda. Claim 15 is believed to be allowable at least because of its dependency on claim 12.

Claims 16-18 were also rejected under 35 U.S.C. § 103(a) as being unpatentable over Crawford in view of Walton and further in view of Liang. Claims 16 - 18 are believed to be allowable at least because of their dependency on claim 12.

Claims 31-33 were also rejected under 35 U.S.C. § 103(a) as being unpatentable over Crawford in view of Shao (U.S. 2004/0258174 A1). Applicant submits that Shao (U.S. 2004/0258174 A1), is disqualified as prior art under 35 U.S.C. §102(e)/103 because at the time the present invention was made, both the Shao and the present invention were owned and were under an obligation of assignment to the same entity (see MPEP 706.02(l)(1)). Applicant had provided a statement concerning common ownership in the prior response filed March 14, 2008. Applicant requests that the Examiner address this issue and submits that the rejection of claims 31 – 33 under 35 U.S.C. § 103(a) has been overcome.

AMENDMENT AND RESPONSE UNDER 37 C.F.R. § 1.111

Serial Number: 10/749,903

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Title: MULTICHANNEL ORTHOGONAL FREQUENCY DIVISION MULTIPLEXED RECEIVERS WITH ANTENNA SELECTION AND MAXIMUM-RATIO COMBINING AND ASSOCIATED METHODS

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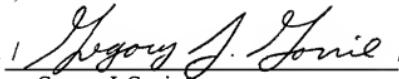
CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's representative at (480) 659-3314 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

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